

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BDG GOTHAM RESIDENTIAL, LLC, et al.,

Plaintiffs,

-against-

WESTERN WATERPROOFING COMPANY,  
INC., et al.,

Defendants.

WESTERN WATERPROOFING COMPANY,  
INC.,

Plaintiff,

-against-

ZURICH AMERICAN INSURANCE  
COMPANY, et al.,

Defendants.

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19-CV-6386 (CM) (BCM)

20-CV-3199 (CM) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court is in receipt of the parties' joint status letters in *BDG Gotham Residential, LLC v. Western Waterproofing Co., Inc.*, No. 19-CV-6386 (the Delay Damages Action), and in *Western Waterproofing Co., Inc. v. Zurich Am. Ins. Co.*, No. 20-CV-3199 (the Coverage Action). (No. 19-CV-6386, Dkt. 177 & No. 20-CV-3199, Dkt. 404.) The parties in the Delay Damages Action request a brief adjournment of the joint status conference currently scheduled for October 12, 2023, to complete briefing on Western's letter-application for discovery relief, to which the optional reply is due on **October 13, 2023**. The parties in the Coverage Action, on the other hand, report that there are no disputes that require the Court's attention, and that they are currently working with a mediator to engage in further settlement discussions following a one-day mediation.

The joint status conference previously scheduled for October 12, 2023, is ADJOURNED.

The Court will hold a discovery conference in the Delay Damages Action on **October 23, 2023, at 11:00 a.m.**, in Courtroom 20A of the Daniel Patrick Moynihan Courthouse. Counsel involved only in the Coverage Action are not required to attend.

The Court will hold a joint status conference on **November 14, 2023, at 11:00 a.m.** No later than **November 7, 2023**, the parties shall file a joint status report in each Action. If no controversies exist at the time of the joint status letter, the parties may request that the conference be held telephonically.

Dated: New York, New York  
October 10, 2023

**SO ORDERED.**

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

**BARBARA MOSES**  
**United States Magistrate Judge**